

**IN THE HIGH COURT OF NEW ZEALAND  
WHANGAREI REGISTRY**

**I TE KŌTI MATUA O AOTEAROA  
WHANGĀREI-TERENGA-PARĀOA ROHE**

**CRI-2023-088-840  
[2025] NZHC 1787**

**THE KING**

**v**

**SAMSON THOMAS MANUEL and BRONSON TAMATI MANUEL**

Hearing: 1 July 2025

Counsel: BM O'Connor for Crown  
R Mansfield KC (by VMR) and W Mohammed for Samson  
Thomas Manuel  
JA Young and AB Fairley for Bronson Tamati Manuel

Sentencing: 1 July 2025

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**SENTENCE OF GAULT J**

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Solicitors / Counsel:  
B M O'Connor MWIS Lawyers, Whangārei  
R Mansfield KC, Barrister, Auckland  
J A Young, Barrister, Whangārei  
A B Fairley, Thomson Wilson Whangārei

[1] Samson Manuel, you appear today for sentencing having pleaded guilty to a charge of murder.<sup>1</sup> The maximum sentence for murder is life imprisonment.

[2] Bronson Manuel, you appear for sentencing having pleaded guilty to causing grievous bodily harm with intent to injure.<sup>2</sup> The maximum sentence for this offence is seven years' imprisonment.

[3] This is the sentencing process I will follow:

- (a) first, I will outline the circumstances of your offending;
- (b) secondly, I will refer to the victim impact statements that have been read;
- (c) thirdly, I will explain the approach to setting the sentence and the requirements of the Sentencing Act 2002 as they apply in your case Samson Manuel;
- (d) fourthly, I will consider your relevant personal circumstances as they have been put before the Court;
- (e) next, I will determine and impose the appropriate sentence for you;
- (f) then, I will explain the approach to setting the sentence and the requirements of the Sentencing Act as they apply in your case Bronson Manuel;
- (g) I will then consider your relevant personal circumstances as they have been put before the Court; and
- (h) finally, I will determine and impose the appropriate sentence for you.

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<sup>1</sup> Crimes Act 1961, ss 167 and 172. Maximum penalty life imprisonment.

<sup>2</sup> Crimes Act 1961, ss 66, 188(2). Maximum penalty seven years' imprisonment.

## **The offending**

[4] I begin by setting out the facts of your offending in Whangārei on the evening on 15 April 2023.

[5] You are brothers.

[6] The victim in this case is Mr Shayden Perkinson, aged 25. He was not known to either of you.

[7] You both were at the Night and Day, Gull service station located in Raumanga, Whangārei that evening. You arrived at 9:30 pm. At the time you both had light coloured material wrapped over your heads and covering your mouth and nose, in a balaclava style, so only your eyes were visible.

[8] Samson Manuel, you were in the possession of a large kitchen knife secreted up your right sleeve. At the time the knife was not visible.

[9] You both were intending to commit a “standover” of the Night and Day, Gull service station. Samson Manuel, you told police you had the knife to do a standover of the shopkeeper for money.

[10] There is a Westpac ATM machine located on the outside corner of the Night and Day service station.

[11] When you both arrived at the service station, Bronson Manuel you went to the ATM, and leant against it, blocking access to it.

[12] Shayden Perkinson and two friends [REDACTED] arrived at the Night and Day service station at 9:35 pm. [REDACTED] had asked to go there so she could get money out from the ATM. [REDACTED] parked alongside the area where the ATM machine was located, and [REDACTED] got out to use the ATM.

[13] When [REDACTED] got out of the car, Bronson Manuel you moved away from the ATM and towards the vehicle she had got out of. You turned and walked along the side of the building. [REDACTED] approached the Westpac ATM and inserted her card into the machine. Bronson Manuel you moved back towards the ATM and said something to [REDACTED] but she could not make out what you said.

[14] Because of the behaviour of you both, and the way you had your faces covered, [REDACTED] decided to cancel her transaction and go inside the service station to withdraw money. She did so.

[15] At the same time, the victim, who had realised that your behaviour was making his friend uncomfortable, got out of the vehicle and moved to stand near [REDACTED]. By this stage, Samson Manuel you had walked up alongside the building, turned and walked back towards your brother, who was facing the victim.

[16] The victim asked you both to leave [REDACTED] alone. Samson Manuel, you moved towards your brother and walked behind him. Bronson Manuel, you punched the victim in the face. He raised his hands in a defensive, fighting stance as he moved backwards towards the entryway of the Night and Day store. At the same time, Samson Manuel you also swung at the victim, but your punch did not connect.

[17] Bronson Manuel, you followed the victim. The victim continued to back away and kicked out his leg at your brother. You and the victim were both in physical contact with each other.

[18] At the same time, the victim's friend [REDACTED] got out of the driver's side of the vehicle to try to help the victim.

[19] Samson Manuel, you removed the knife from your sleeve, approached Mr Perkinson, from behind your brother, and raised the knife up and towards the side of his body. You then moved the knife in a striking/stabbing motion down towards the victim and stabbed him in the chest.

[20] The knife passed through the cartilaginous part of his fourth and fifth rib and through the pericardial sac and the heart. The knife then moved into the lower lobe of his right lung terminating adjacent to the spinal column.

[21] Bronson Manuel, your head was turned away and you did not see the knife or the stabbing.

[22] Mr Perkinson stumbled backwards, in a bent over position, and during the movement, pulled off Samson Manuel's head and face covering. Bronson Manuel, you were holding on to the victim throughout while he was stumbling backwards.

[23] [REDACTED] who saw the knife in Samson Manuel's hand, immediately retreated to the safety of his vehicle.

[24] The victim and you both by this stage had moved past the front doors of the store and towards the large freezer located at the front left of the entry to the store.

[25] Samson Manuel, once you re-covered your head with the material covering, you turned back to the victim, who Bronson Manuel was holding and you Samson Manuel punched the victim to the chest and head area six times with significant force. Bronson Manuel, you continued to hold onto the victim as your brother punched him a number of times. At the same time Samson Manuel gestured with one hand towards the area where [REDACTED] car was parked.

[26] The victim fell to the ground and was not moving.

[27] Bronson Manuel, you then dragged the victim's body out onto the forecourt. The victim was facing downwards, and he was not moving at all. You dragged him by his hoodie with his head and upper body off the ground. You dropped him face down onto the concrete. As you dragged and dropped the victim, you were staring confrontationally at his friend [REDACTED] who had got back into his vehicle and was preparing to leave the area. You advanced towards where [REDACTED] was. Fearing for his safety, and in an attempt to defend his friend, [REDACTED] drove his

vehicle at speed hitting you Bronson Manuel and propelled you into the air. You came down to rest in front of a vehicle that was on the forecourt.

[28] Samson Manuel, you walked over to your brother to see if he was okay and started to assist him to move back to the area where the freezer was outside the front of the service station store. At the time [REDACTED] drove back towards you and your brother, narrowly missing you. In response, you ran to the unconscious victim and kicked him in the head. [REDACTED] turned the car around to face back towards the victim. You advanced towards him holding the knife in your hand. [REDACTED] accelerated away. You rushed at the vehicle and collided side on with the vehicle, then returned to your brother.

[29] The victim was still lying face down on the forecourt and had not moved.

[30] Samson Manuel, you approached a vehicle that had just entered the service station and convinced the driver to give you both a ride to a nearby address.

### **Victim impact statements**

[31] I have taken into account the victim impact statements of whānau, that were read aloud today, by [REDACTED]. I have also read the other victim impact statements. I thank these family members for their courage, and for giving me some more insight into Shayden, and for sharing the devastating impact of his loss at the age of 25. I acknowledge your immeasurable grief. I know that whatever sentences I impose today can in no way undo the harm done. I hope you too, Samson and Bronson Manuel, appreciate their profound and lasting pain.

### **Samson Manuel**

#### *Approach to sentencing*

[32] Samson Manuel, in the case of murder there is a statutory presumption that life imprisonment will be imposed.<sup>3</sup> As both Ms O'Connor, for the Crown, submits and

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<sup>3</sup> Section 102(1).

your counsel, Mr Mansfield KC, accepts, there are no circumstances making that manifestly unjust in this case. A sentence of life imprisonment is inevitable.

[33] The main issue for me to decide is what minimum period of imprisonment (MPI) you must serve before you are eligible for consideration for parole. Ordinarily, the MPI for murder cannot be less than 10 years.<sup>4</sup>

[34] In terms of my approach to sentencing,<sup>5</sup> I will first set a starting point for your MPI which reflects the nature and circumstances of your offending, adjusted up or down to incorporate aggravating and mitigating features of the offending. This adjusted starting point is then further adjusted to take into account aggravating and mitigating factors personal to you, as well as your guilty plea.

[35] I must have regard to the purposes and principles of sentencing as set out in the Sentencing Act.<sup>6</sup> The relevant purposes of sentencing in this case include: to hold you accountable for harm done to the community; to promote a sense of responsibility for and acknowledgement of that harm; to denounce the conduct; to protect the community; to deter you and other persons from committing the same or a similar offence; and to assist in your rehabilitation and reintegration. I must impose an MPI that satisfies the purposes of accountability, denunciation, deterrence and protecting the community.<sup>7</sup> I must also take into account the gravity and seriousness of the offending, the need for consistency between sentences for similar offending, and the need to impose the least restrictive sentence that is appropriate in the circumstances.

#### *Starting point*

[36] The Crown submits the starting point for the MPI should be 14 years, although Ms O'Connor, this morning, acknowledged that was based on a case where such a starting point included an attack on a second victim. Whereas Mr Mansfield submits the MPI starting point should be no more than 11 years.

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<sup>4</sup> Sentencing Act 2002, s 103(2). It is not suggested that s 104 is engaged.

<sup>5</sup> As set out by the Court of Appeal in *Moses v R* [2020] NZCA 296, [2020] 3 NZLR 583 at [46].

<sup>6</sup> Sentencing Act, ss 7 and 8.

<sup>7</sup> Section 103(2).

[37] Ms O'Connor submits the following aggravating features were present in your offending: threatened and actual violence; use of a weapon; extent of loss, damage or harm; particular cruelty; premeditation; and multiple attackers.

[38] Mr Mansfield accepts the presence of four aggravating factors in your offending: extent of violence; use of weapon; multiple attackers; and the loss caused. Mr Mansfield does not accept the presence of particular cruelty or premeditation.

[39] Ms O'Connor submits the violence you used was forceful, gratuitous and prolonged. She notes that you continued to inflict violence on the victim after stabbing him and after he lost consciousness. Mr Mansfield disputes that the violence was gratuitous.

[40] I consider the violence used was a significant aggravating feature. You stabbed Mr Perkinson in the chest and then continued to punch him to the head and upper body while your brother held him. You then forcefully kicked him in the head when it appeared he was unconscious. That was gratuitous.

[41] As to the use of a weapon, Ms O'Connor submits you carried a knife to a public place to threaten or inflict violence—in a proposed standover with the shopkeeper. Mr Mansfield accepts that use of a weapon is an aggravating feature but submits your use of the knife was spur of the moment. However, you used the knife that you had brought with you and concealed in your sleeve to stab the victim in a vulnerable part of his body. Use of the knife is also a significant aggravating feature.

[42] Mr Mansfield accepts that you and your brother outnumbered the victim. The fact that you and your brother attacked the victim together is also an aggravating feature.

[43] The outcome was the worst possible—Mr Perkinson died from your wound. I accept that this is inherent in the murder charge.

[44] Ms O'Connor submits your continued assault after stabbing the victim demonstrates a particular cruelty, as he was already dying, and that premeditation is present as you had a knife on you and deliberately chose to use it. Mr Mansfield submits the murder was reckless rather than involving a particular level of cruelty that should be considered a distinct aggravating factor. He also submits the knife used was on you for an entirely unrelated reason which suggests there was no premeditation. I consider the kick when the victim was not moving indicates cruelty even if it was prompted by seeing your brother hit by the car, and you were at least prepared with the knife, but I consider these aggravating features overlap with the other features already identified.

[45] Having considered these aggravating features of your offending and the other similar stabbing cases referred to me by both counsel which I will footnote,<sup>8</sup> I consider a starting point MPI of 12 years is appropriate for your offending.

*Personal aggravating and mitigating factors*

[46] I now consider whether the starting point should be adjusted to recognise any aggravating and mitigating factors personal to you.

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<sup>8</sup> *Brown v R* [2011] NZCA 95. The victim aimed to help someone who was being harassed by the offender in a public place. The offender pulled out a knife and stabbed the victim. Venning J accepted a starting point of an MPI of 14 years' imprisonment. As Ms O'Connor indicated, this included offending against a second victim.  
*R v Fa'avae* HC Auckland, CRI-2006-204-748, 10 July 2008. The defendant attacked a group of male youths, who had not provoked him. The defendant stabbed the victim, who was unarmed and non-confrontational. Allan J imposed a MPI of 11 years' imprisonment.  
*R v Millar* HC Auckland CRI-2010-090-5044, 21 June 2011. The victim and defendant were socialising until the defendant became annoyed. He went to get a knife and without warning stabbed the victim. Lang J accepted a starting point of an MPI of 11 years' imprisonment.  
*R v Wharekura* [2025] NZHC 751. The victim was unarmed and the murder was intentional. The defendant was armed with a knife and arrived in town to meet with an associate of the victim. The victim adopted a fighting stance and was stabbed by the defendant. Radich J set a starting MPI at 12 years' imprisonment.  
*R v TH* [2023] NZHC 630. The victim was unarmed and the murder was considered reckless. A fight escalated between the defendant and victim's groups. During the fight, the defendant deliberately sought a knife in order to stab the victim. Brewer J imposed a sentence of 18 years' imprisonment with a MPI of seven and a half years.  
*R v Singh* [2015] NZHC 2369. The murder was intentional and premeditated. The defendant arrived at the victim's school with knives in order to kill the victim and her friend. The Judge considered the violence to be brazen. Woolford J imposed a sentence of life imprisonment with a minimum period of imprisonment of 12 years' and six months' imprisonment. In this case, there was more than one stab.  
*R v Middleton* [2012] NZHC 3261. The defendant stabbed the victim twice for no apparent reason. There appeared to be minimal premeditation. The MPI was set at 11 years' imprisonment.

[47] Beginning with aggravating factors, Ms O'Connor submits an uplift in the range of 12 months' imprisonment is appropriate for your previous violent offending in both Australia as a youth and subsequently in New Zealand. This morning, she referred to a range of six to 12 months. Mr Mansfield submits an uplift of six months is appropriate to recognise your previous convictions, including previous violent offending.

[48] Your previous convictions include possessing a knife in a public place, possession of an offensive weapon and a number of offences involving violence. Most relevantly, you have a conviction for injuring with intent to injure from 2020 which, I understand, involved stabbing a neighbour while intoxicated. Later that year you also brandished a knife at police. For these offences, you were sentenced to 14 months' imprisonment. For the purpose of deterrence, I consider an uplift of six months is appropriate for your previous convictions.

[49] Turning to your personal mitigating factors, Ms O'Connor submits you are entitled to a reduction of six months' imprisonment for your guilty plea given the timing of it. The possibility of a guilty plea was raised by your counsel in January 2025, a month before trial, but the guilty plea was not confirmed and entered until the first morning of trial.

[50] Mr Mansfield submits a reduction of up to two years' imprisonment is appropriate to recognise your guilty plea and your background and personal circumstances.

[51] Dealing first with your guilty plea, you are entitled to some credit for saving Mr Perkinson's family the additional stress and trauma of a trial. But the strength of the Crown case against you means the reduction for your late plea must be tempered. I allow six months.

[52] Turning to your personal background circumstances, I have read the reports provided—the psychiatrist's report from November 2023 and your pre-sentence report.

[53] You are 26 years old. You were 24 years old at the time of the offending.

[54] You whakapapa to Ngāpuhi and Ngāti Ngāruahine, and have Spanish ancestry through your mother. You are the sixth of eight siblings. You were raised in Whangārei by your mother and grandfather until you were seven years old, then moved to Auckland, and moved to Australia when you were about 12 years old.

[55] You were exposed to family violence growing up. You were close to your mother's father, your Poppa, and were raised by him when you were young. You were disciplined, but not severely as your Poppa was protecting you.

[56] You left school when you were 14 years old in Australia because you did not like the school and experienced bullying. At this age you were already drinking and using cannabis on a daily basis. You first went to juvenile detention at 14 years old. You report committing crimes with those you met at juvenile detention for money.

[57] Ms O'Connor characterises this as involving some choice on your part in hanging out with the wrong crowd, rather than more directly caused by childhood deprivation. Mr Mansfield does not accept that your actions in Australia, including drug taking, were not caused by such deprivation.

[58] You were in and out of Youth Justice facilities in Queensland between ages 13 to 17. When not in such facilities, you lived on the streets sometimes and were introduced to solvents aged 14 to 15.

[59] You have two sons aged 10 and eight, with whom you try to maintain regular contact. You had your first child with your then partner when you were 16 years old. You were incarcerated before the birth of your second child, who was placed into foster care at birth.

[60] You returned to New Zealand in 2018, aged 19, following detention under the Australian Migration Act.

[61] You have struggled with your mental health and were diagnosed with schizophrenia in 2020, complicated by cannabis and methamphetamine use. The psychiatrist also said you met the criteria for substance use disorder and antisocial personality disorder. You reported some whānau having gang involvement. You report using methamphetamine on a daily basis as well as drinking alcohol. You report that your use of substances was correlated to feelings of paranoia. Also, unfortunately for your mental health, when you believe you are stable, you stop taking your medication.

[62] Between 2021 and 2022, you were in and out of the Northland Regional Corrections Facility.

[63] You report that your mother remains a steadfast support for you, and you are in contact every second day.

[64] On the day of the offending, you report having consumed three bottles of wine, methamphetamine and cannabis. You report stabbing the victim as you believed he took your brother's kindness for weakness. You report trying to accept what you have done. But the pre-sentence report writer considers you do not appear to be able to accept full responsibility for your actions, believing they were an accident. You believed the offending would not have happened if you had been in the right headspace. But I have received your letter this morning showing more insight into what you have done. I have also heard this morning the support letter read by your sister, believing you can be a better man.

[65] The psychiatrist said that at the time of the offending you may have had a disease of the mind but that you knew the nature and quality of your actions and were probably aware of their moral wrongfulness.

[66] As the report indicates, you require ongoing treatment by specialist mental health services and rehabilitation for substance use disorder.

[67] Having considered all the material, I accept that your personal background and substance abuse, and likely mental health, are causatively connected to your offending, which warrants a reduction.<sup>9</sup> I say likely mental health because there is an inconsistency between your account at Middlemore Hospital in the week after the offending and your later account to the psychiatrist, Dr Duggal, which both counsel addressed this morning. Your age at the time of the offending is at the upper end of what would be considered for a youth reduction. Mr Mansfield does not seek a discrete reduction for that but notes it is also a relevant factor. I consider a further reduction of 18 months is appropriate.

*Total reductions/end sentence*

[68] The combined net reduction for your personal factors is, therefore, 18 months. This reduces the starting point MPI of 12 years to 10-and-a-half years.

*Result*

[69] Samson Manuel, please stand.

[70] On the charge of murder, I sentence you to life imprisonment with a minimum period of imprisonment of 10-and-a-half years.

[71] Please stand down.

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<sup>9</sup> *Berkland v R* [2022] NZSC 143 at [116].

## **Bronson Manuel**

### *Approach to sentencing*

[72] Bronson Manuel, in terms of my approach to your sentencing,<sup>10</sup> I will first set a starting point which reflects the nature and circumstances of your offending, adjusted up or down to incorporate aggravating and mitigating features of the offending. This adjusted starting point is then further adjusted to take into account aggravating and mitigating factors personal to you, as well as your guilty plea.

[73] I must have regard, in your case, also to the purposes and principles of sentencing as set out in the Sentencing Act.<sup>11</sup> The relevant purposes of sentencing include: to hold you accountable for harm done to the community; to promote a sense of responsibility for and acknowledgement of that harm; to denounce your conduct; to protect the community; to deter you and others from committing the same or a similar offence; and to assist in your rehabilitation and reintegration. I must also take into account the gravity and seriousness of the offending, the need for consistency between sentences for similar offending, and the need to impose the least restrictive sentence that is appropriate in the circumstances.

### *Starting point*

[74] As to the starting point, following the Court of Appeal's guideline judgment,<sup>12</sup> the starting point for violent offending of this type is arrived at by placing the offending in one of three bands after identifying the number of aggravating factors present in the offending and, on that basis, identifying in which sentencing band the offending sits, and where in that band it sits.

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<sup>10</sup> As set out by the Court of Appeal in *Moses v R* [2020] NZCA 296, [2020] 3 NZLR 583 at [46].

<sup>11</sup> Sentencing Act, ss 7 and 8.

<sup>12</sup> In *Nuku v R* [2012] NZCA 584, the Court of Appeal adapted the bands for intention to cause grievous bodily harm in the guideline judgment of *R v Taueki* [2005] 2 NZLR 372 (CA). It is well established that the Court will draw on the bands for sentencing outlined in *R v Taueki* for offences involving causing grievous bodily harm.

[75] The Crown submits that I should impose a starting point of three-and-a-half to four years' imprisonment. This morning, Ms O'Connor proposed three-and-a-half years. Your counsel, Ms Young, submits an appropriate starting point is between two, and two-and-a-half years' imprisonment.

[76] Ms O'Connor submits there are six aggravating features to your offending: actual violence; serious injury; particular cruelty; attacking the head; vulnerable victim; and multiple attackers. She submits this places your offending in the middle of band three (ranging from two to seven years' imprisonment).

[77] Ms Young highlights that your involvement in the assault did not cause death nor life-threatening injury. She submits that your offending featured two aggravating features, being multiple offenders and victim vulnerability. She submits this places your offending within the top end of band one (where a sentence of less than imprisonment can be imposed) or the bottom end of band two (with a starting point of up to three years' imprisonment).

[78] I consider your offending involved four aggravating features. First, there was actual violence which you instigated by punching Mr Perkinson. You also dragged him by his hoodie and dropped him face down onto the concrete, causing abrasions. The violence was gratuitous and unnecessary. This aggravating feature is present to at least a moderate degree. I accept you did not see the fatal stabbing in between these actions but you were holding on to the victim throughout while he was stumbling backwards. Secondly, this amounted to an attack to the head. This feature is present to a moderate degree.

[79] Thirdly, you and your brother were multiple attackers. This is aggravating to a low to moderate degree. Fourthly, the victim was extremely vulnerable when you dropped him onto the concrete, as he was already unresponsive and, therefore, unable to protect himself. This feature is present to a high degree.

[80] I therefore place your offending in band three but below the middle of the band. I consider a starting point of three years' imprisonment is appropriate.

*Personal aggravating and mitigating factors*

[81] I now consider whether the starting point should be adjusted to recognise any aggravating and mitigating factors personal to you.

[82] Ms O'Connor submits a small uplift is appropriate to reflect your previous convictions in both New Zealand and Australia some of which are for violence. Ms Young opposes an uplift in respect of your previous convictions. She suggests that most of the offending could be considered minor and that your only offending in New Zealand was recognised by a conviction and discharge. I accept that no uplift is necessary for your previous convictions.

[83] Ms O'Connor submits you are entitled to a reduction of six months for your guilty plea, that is in the region of 15 per cent. She submits this is appropriate given the discussions surrounding a guilty plea occurred close to the trial and given your lesser charge, in comparison with your brother. Ms Young submits you are entitled to a full 25 per cent discount for your guilty plea which she submits came after your charge was amended.

[84] I accept that until the Crown was willing to withdraw the murder charge and replace it with the lesser charge, you were not in a position to plead to the lesser charge. That change occurred a month before trial. While the plea was not at the first available opportunity, I consider a 20 per cent reduction is appropriate.

[85] You sustained some injuries as a result of being run over following your actions that night but it is not suggested this warrants a sentence reduction.

[86] Turning to your personal background circumstances, Ms Young submits a further reduction of 20 per cent is appropriate. Ms O'Connor submitted a lesser reduction is appropriate. I have read the reports provided—the comprehensive alcohol and drug use report prepared in March, and your recent pre-sentence report.

[87] You are 32 years old. You were 29 at the time of the offending.

[88] You also whakapapa to Ngāpuhi and Ngāti Ngāruahine, and have Spanish ancestry through your mother. You are one of eight siblings with two older sisters. You are the eldest son in the family. You were born in Australia, but moved to New Zealand when you were four or five years old. While in Australia, you were raised by your mother and maternal grandmother.

[89] You report experiencing significant abuse and were exposed to violence when you were young. You report living with fear and suicidal ideation in primary school, which you coped with through violence and substance abuse. Your views growing up were shaped by the norms and values of gang culture.

[90] You report using alcohol and cannabis for the first time in primary school, but did not use either again until later in your adolescence.

[91] You report being a sensitive child, for which you were often teased or beaten, including one incident which cost you the vision in one eye. You set out to be the strongest and used fighting to establish this reputation.

[92] You left school aged 12 and started seasonal work.

[93] You later returned to Australia. It was here that you were introduced to methamphetamine. You gave up methamphetamine once you realised the detriments. Instead, you came to rely on alcohol, which you describe as giving you an invincible feeling.

[94] You came back to New Zealand when your grandfather was diagnosed with cancer.

[95] You have been in a relationship with your current partner for four years. You have two tamariki together, aged three and two. Your partner has another daughter, aged five, who you also care for as a father.

[96] Your partner has had concerns over the exposure of your children to violence and substances. This conflict has resulted in court proceedings, and you turned to excessive alcohol consumption.

[97] At the time of your offending, you were the primary caregiver for your grandfather.

[98] On the day of your offending, you had been consuming alcohol with whānau. Your explanation to the report writer for wearing a bandanna differed from what you have now admitted.

[99] The alcohol and other drug report assesses you as meeting the criteria for alcohol and stimulant use disorder, but in sustained remission. It identifies other possible undiagnosed mental health conditions.

[100] Having considered all the material, I accept that your personal background and substance abuse are causatively connected to your offending to some degree, which warrants a reduction. I consider a reduction of 10 per cent is appropriate.

[101] The alcohol and other drug report notes your extensive remorse and hope to be a positive parent for your children, and states you are willing to engage with any services available to help achieve this goal. Ms Young says you have sought to complete various programmes while on electronically monitored (EM) bail and in custody, and that you also sought restorative justice. I have seen your certificates and letter of support. And I have read your recent letter expressing remorse and saying you take full responsibility for your involvement, which is a step forward from reportedly maintaining to the pre-sentence report writer that you had no intention to harm anyone. You say you are truly sorry and are committed to doing better. Ms O'Connor submitted these positive actions do not reach a point where a discrete reduction is appropriate. But I accept that a five per cent reduction is appropriate for your more recent remorse and, more particularly, for your rehabilitative efforts and prospects. It is important that you follow through with these.

[102] These reductions total 35 per cent—not the 50 per cent sought. This reduces your starting point of three years' imprisonment to 23 months' imprisonment.

[103] Ms Young also submits that a reduction of 50 per cent of your time on EM bail is appropriate to reflect that time. She notes that you were in custody for almost a year and following that you were on EM bail for nearly a year with very restrictive conditions and no breaches. I consider, as Ms O'Connor submitted, a reduction of four months is appropriate for your time on restrictive EM bail, reducing the sentence to 19 months' imprisonment.

[104] Even though home detention can be considered for such a sentence, the Crown submits that a sentence of imprisonment is the least restrictive sentence available to appropriately respond to your offending. Ms Young confirms that you do not seek home detention. I consider that a sentence of imprisonment is the least restrictive sentence available in the circumstances of this case.

*Result*

[105] Bronson Manuel, please stand.

[106] On the charge of causing grievous bodily harm with intent to injure, I sentence you to 19 months' imprisonment.

[107] Please stand down.

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Gault J